



R. Justin Smith

Of Counsel

jsmith@bdlaw.com

+1.202.789.6034

1900 N Street, NW, Suite 100, Washington, DC, 20036-1661

With two decades of experience at the Department of Justice’s Environment & Natural Resource Division across multiple administrations, Justin offers strategic counsel on multiple regulatory programs, legislation, and litigation.

At the U.S. Department of Justice (DOJ), Justin served as Chief of the Law and Policy Section within the Environment and Natural Resources Division (ENRD). As one of ENRD’s most senior career officials, he worked with Senate-confirmed appointees across multiple presidential administrations on all facets of environmental law, high-stakes litigation, and navigating complex regulatory frameworks. Justin draws from his distinguished career and government and leadership roles in the environmental bar to help clients work through high-stakes and complex issues.

While at DOJ, Justin’s work included high-profile litigation, regulatory compliance, and legislative strategy, as well as the development of strategic enforcement policies on climate-related matters, methane emissions, and hydrofluorocarbon (HFC) regulations. Justin partnered with multiple federal agencies to analyze litigation risks and enforcement issues under statutes like the Clean Air Act, Clean Water Act, Endangered Species Act, RCRA, NEPA, and CERCLA. Justin also led DOJ oversight of settlements of citizen enforcement of the environmental laws, having reviewed and commented on dozens of citizen suit resolutions and filed numerous amicus briefs on related issues. This work gives him a unique understanding of how companies can participate effectively in rulemakings and defend themselves in government or citizen enforcement proceedings and litigation.

Justin has extensive litigation experience, having served as lead ENRD counsel in dozens of high-profile cases across the U.S. Supreme Court, federal appellate and district courts, and state courts. His portfolio spans constitutional law, administrative law, federal Indian law, and cooperative federalism, as well as disputes involving climate change, pollution, and natural resources. Justin was instrumental in coordinating the federal government’s amicus participation in major environmental cases and has provided oral arguments in numerous appellate and district court matters. His deep understanding of government decision-making processes enables him to effectively advise clients on litigation strategy and settlement negotiations.

Throughout his government career, Justin’s ability to navigate changes in policy and administration transitions allowed him to guide critical environmental and energy decisions while maintaining collaborative relationships with federal agencies, states, and Tribes. Justin was particularly adept at addressing shifts in federal authority, cooperative federalism, and preemption issues, making him a trusted advisor for resolving conflicts between state and federal regulatory frameworks.

Justin's honors include the DOJ's John Marshall Award in Providing Legal Advice and multiple performance awards. His dedication to mentoring attorneys and fostering collaborative workplaces reflects his commitment to professional excellence and public service.

Education

- Princeton University (A.B., 1990)
 - Phi Beta Kappa
- Harvard University (J.D., *magna cum laude*, 1994)
 - Books and Commentaries Editor, *Harvard Law Review*

Bar Admissions

- District of Columbia

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals - D.C. Circuit
- U.S. Court of Appeals – Fourth Circuit
- U.S. Court of Appeals – Fifth Circuit
- U.S. Court of Appeals - Ninth Circuit
- U.S. Court of Appeals – Tenth Circuit
- U.S. District Court – District of Columbia

Clerkships

- The Honorable Patricia Wald, U.S. Court of Appeals for the District of Columbia
- The Honorable Louis H. Pollak, U.S. District Court for Eastern District of Pennsylvania

Professional Affiliations

- Committee Co-Chair, D.C. Bar Environment, Energy, and Natural Resources Section
- Member, American Bar Association, Section of Energy, Environment and Natural Resources

Honors & Awards

- John Marshall Award for Providing Legal Advice
- Assistant Attorney General's Award for Excellence
- DOJ Special Achievement Award (multiple awards)